

1199 SEIU UNITED HEALTHCARE WORKERS EAST

Plaintiff(s)

Index # 08 CV 160

- against -

PARKVIEW CARE AND REHABILITATION CENTER

Defendant(s)

Purchased January 8, 2008

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

RICHARD RUBINSTEIN BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on January 18, 2008 at 11:58 AM at

5353 MERRICK ROAD  
MASSAPEQUA, NY 11758

deponent served the within SUMMONS AND COMPLAINT; INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE DEBRA FREEMAN; INDIVIDUAL PRACTICES OF HON. RICHARD M. BERMAN;\* on PARKVIEW CARE AND REHABILITATION CENTER therein named,

**SUITABLE AGE** by delivering thereat a true copy of each to KAREN M. LEVY a person of suitable age and discretion. Said premises is Defendant's actual place of business within the state. She identified herself as the GENERAL-AGENT of the Defendant.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
<u>FEMALE</u>	<u>WHITE</u>	<u>BROWN</u>	<u>45</u>	<u>5'4</u>	<u>180</u>

**MAILING**

Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Defendant at the Defendant's actual place of business at

5353 MERRICK ROAD  
MASSAPEQUA, NY 11758

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on January 22, 2008 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL &amp; CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

\*DEFAULT JUDGMENT PROCEDURE; 3RD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL; GUIDELINES FOR ELECTRONIC CASE FILING; PROCEDURES FOR ELECTRONIC CASE FILING

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: January 22, 2008

JOEL GRABER  
Notary Public, State of New York  
No. 02GR4699723  
Qualified in New York County  
Expires February 10, 2010JOSEPH KNIGHT  
Notary Public, State of New York  
No. 01KN6178241  
Qualified In New York County  
Expires November 26, 2011JONATHAN GRABER  
Notary Public, State of New York  
No. 01GR6156780  
Qualified in New York County  
Expires December 4, 2010

**RICHARD RUBINSTEIN**

Invoice #: 454850

*Judge Bermudez* United States District Court

SOUTHERN DISTRICT OF NEW YORK

1199 SEIU UNITED HEALTHCARE WORKERS  
EAST,

**SUMMONS IN A CIVIL CASE**

v.

CASE NUMBER:

PARKVIEW CARE AND REHABILITATION CENTER,

**08 cv 00160**

TO: (Name and address of Defendant)

Parkview Care And Rehabilitation Center  
5353 Merrick Road  
Massapequa, New York 11758  
(516) 798-1800

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

LOWELL PETERSON, ESQ.  
MEYER, SUOZZI, ENGLISH & KLEIN, P.C.  
1350 BROADWAY, SUITE 501  
NEW YORK, NY 10018

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**JAN 08 2008**

**J. MICHAEL McMAHON**

CLERK

DATE

*J. Michael McMahon*  
(BY) DEPUTY CLERK

## RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>1</sup>	DATE
NAME OF SERVER (PRINT)	TITLE

*Check one box below to indicate appropriate method of service*

Served personally upon the defendant. Place where served: \_\_\_\_\_

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_

Returned unexecuted: \_\_\_\_\_

Other (specify): \_\_\_\_\_

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date \_\_\_\_\_ Signature of Server \_\_\_\_\_

Address of Server \_\_\_\_\_

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.